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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,196	05/07/2001	Jean-Francois Bodet	7343M	1416

27752 7590 02/28/2005

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EXAMINER

BOYER, CHARLES I

ART UNIT

PAPER NUMBER

1751

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/831,196

Applicant(s)

BODET ET AL

Examiner

Charles I. Boyer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 17-22 and 24-37 is/are pending in the application.
- 4a) Of the above claim(s) 35-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-22 and 24-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This action is responsive to applicants' request for continued examination received February 17, 2005. Claims 17-22 and 24-37 are currently pending with claims 35-37 withdrawn.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17-21 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Chavannes, GB 2,204,321.

Chavannes teaches biodegradable liquid detergent compositions (see abstract). The invention includes a process for the ultrasonic cleaning of articles by immersing the articles in a cleaning bath comprising water, surfactants, and builders (page 11, claims 1 and 14). An example of such a cleaning fluid comprises water, two nonionic surfactants, one a C12-15 alcohol with 7 ethoxy groups, and the other a C12 alcohol containing 5 ethoxy groups and 4 propoxy groups, sodium nitrilotriacetate, and an alkyl benzene sulfonate (page 8, examples 4-6 and 8). Referring to page 15, lines 5 and 6 of the present specification, the first nonionic surfactant satisfies the definition of a high cloud point surfactant. Referring to page 14, line 15 of the present specification, the second nonionic surfactant satisfies the definition of a low cloud point surfactant. As

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this reference meets all material limitations of the claims at hand, the reference is anticipatory. With respect to additional components claimed in claims 24-29, the examiner notes these are optional components only. With respect to the interfacial tension limitation of the claims, as the compositions of the reference contain the precise ingredients required by the claims, the examiner maintains the composition will inherently have an interfacial tension value within that presently claimed.

Applicants have traversed this rejection on the grounds that Chavannes does not teach a nonionic surfactant system wherein said nonionic surfactant system comprises at least one nonionic surfactant having a cloud point greater than 60°C and at least one nonionic surfactant having a cloud point less than 10°C. Based on the discussion above, the examiner maintains the cloud points of these surfactants inherently satisfy this claim limitation. Applicants' further argue that Chavannes teaches antifoaming agents. Though Chavannes does teach low-foaming surfactants, this is not the same thing as an anti-foaming agent. Accordingly, the rejection is maintained.

2. Claims 17-21 and 24-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Kitazawa et al, US 5,350,457.

Kitazawa et al, US 5,350,457 teaches a process for cleaning workpiece surfaces by using ultrasound and a cleaning fluid (see abstract). An example of such a cleaning fluid comprises water, two nonionic surfactants, an ethoxylated alcohol and ethylene oxide/propylene oxide copolymer, and an alkyl benzene sulfonate (col. 7, example 3). Referring to page 15, lines 5 and 6 of the present specification, the first nonionic

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surfactant satisfies the definition of a high cloud point surfactant. Referring to page 14, line 23 of the present specification, the second nonionic surfactant satisfies the definition of a low cloud point surfactant. As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Applicants have traversed this rejection on the grounds that Kitazawa et al do not teach a nonionic surfactant system wherein said nonionic surfactant system comprises at least one nonionic surfactant having a cloud point greater than 60°C and at least one nonionic surfactant having a cloud point less than 10°C. Based on the discussion above, the examiner maintains the cloud points of these surfactants inherently satisfy this claim limitation. Accordingly, the rejection is maintained.

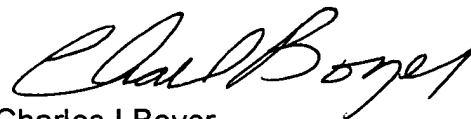
Claims 17-22 and 24-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanno et al, US 6,199,567.

Kanno et al teach an ultrasonic process for cleaning a semiconductor, utilizing a quaternary ammonium cationic surfactant (col. 10, claims 1 and 3, and col. 4, lines 28-45). As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles I. Boyer whose telephone number is 571 272 1311. The examiner can normally be reached on M-F 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 571 272 1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Charles I Boyer  
Primary Examiner  
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